

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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HOUSE BILL 28*

Short Title: Henderson County Fire Districts. (Local)

Sponsors: Representatives McGrady and Whitmire (Primary Sponsors).

For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Government, if favorable, Finance.

January 31, 2013

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW THE BOARD OF COMMISSIONERS OF HENDERSON COUNTY
3 TO STANDARDIZE THE CEILING ON FIRE DISTRICT TAXES IN HENDERSON
4 COUNTY.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 69-25.1 reads as rewritten:

7 "Article 3A.

8 "Rural Fire Protection Districts.

9 "§ 69-25.1. Election to be held upon petition of voters.

10 Upon the petition of thirty-five percent (35%) of the resident freeholders living in an area
11 lying outside the corporate limits of any city or town, which area is described in the petition
12 and designated as " _____ Fire District," the board of

13 (Here insert name)

14 county commissioners of the county shall call an election in said district for the purpose of
15 submitting to the qualified voters therein the question of levying and collecting a special tax on
16 all taxable property in said district, of not exceeding fifteen cents (15¢) on the one hundred
17 dollars (\$100.00) valuation of property, for the purpose of providing fire protection in said
18 district. The county tax office shall be responsible for checking the freeholder status of those
19 individuals signing the petition and confirming the location of the property owned by those
20 individuals. Unless specifically excluded by other law, the provisions of Chapter 163 of the
21 General Statutes concerning petitions for referenda and elections shall apply. If the voters reject
22 the special tax under the first paragraph of this section, then no new election may be held under
23 the first paragraph of this section within two years on the question of levying and collecting a
24 special tax under the first paragraph of this section in that district, or in any proposed district
25 which includes a majority of the land within the district in which the tax was rejected.

26 The Board of Commissioners of a county may by ordinance applicable to ~~Upon the petition~~
27 ~~of thirty five percent (35%) of the resident freeholders living in an area which has previously~~
28 ~~been established as a fire protection district and in which there has been authorized by a vote of~~
29 ~~the people a special tax not exceeding ten cents (10¢) on the one hundred dollars (\$100.00)~~
30 ~~valuation of property within the area, the board of county commissioners shall call an election~~
31 ~~in said area for the purpose of submitting to the qualified voters therein the question of~~
32 ~~increasing the~~ increase the maximum allowable special tax for fire protection within said
33 district from ten cents (10¢) on the one hundred dollars (\$100.00) valuation to fifteen cents
34 (15¢) on the one hundred dollars (\$100.00) valuation on all taxable property within such



1 district. Elections on the question of increasing the allowable tax rate for fire protection shall
2 not be held within the same district at intervals less than two years."

3 **SECTION 2.** This act applies to Henderson County only.

4 **SECTION 3.** This act is effective when it becomes law.